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Application No.: 10/701,261

Docket No.: JCLA7806-R

REMARKSClaim Rejections 35 U.S.C. 102

Claims 1 and 3-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Jennings (US 6,697,416).

In previously submitted response mailed April 3, 2007, Applicants submitted that "Jennings fails to teach the claimed limitation of 'wherein the control chip is able to spread out the frequency of an electromagnetic interference signal according to an algorithm'". However, in the current Office Action, the Examiner asserted "there is nothing in the claim language that precludes the examiner from stating that the clock signal is the 'electromagnetic interference signal'".

Applicants submit that the fact that the clock signal is distinct from the subject matter as claimed "electromagnetic interference signal" has been taught from the teaching of Jennings itself. Jennings teaches: "This invention relates to the implementation of ... for reduced electromagnetic interference with very low noise and jitter" (col. 1, lines 9-14). It is clear that the electromagnetic interference concerned thereby, in its entirety is intended to be reduced. On the contrary, except the electromagnetic interference signal, the clock signal is not intended to be reduced. Therefore, Jennings, by itself, has already taught that the clock signal therein is not an electromagnetic interference signal.

Furthermore, the claimed invention discloses: "the electromagnetic interference signal at each frequency are modulated according to a corresponding spread out width". Addressing to this limitation, the Examiner designated Fig. 6 and column 9, lines 26-34".

Application No.: 10/701,261

Docket No.: JCLA7806-R

In the designated part, Jennings teaches: "the unmodulated input clock signal has been suppressed by almost 30 dB and also has the desired center frequency of 33 MHz". This is evidence showing that the clock signal has parts of frequencies spread, as well as other parts of frequencies not spread.

Applicants hereby submit that the prior art reference must be considered in its entirety. Therefore, since the Examiner has previously interpreted the clock signal as reading on the electromagnetic interference signal, addressing to this limitation, only in case that each frequency of the clock signal are modulated, this limitation could be considered as being taught.

For failing to teach each and every limitation, Jennings does not anticipate the represent invention, as set forth in claim 1.

Similarly, claim 3, recites the limitation of "a software phase lock loop ... receiving a clock signal and spreading out the frequency of an electromagnetic interference signal according to an algorithm received from an external bus, wherein the electromagnetic interference signal at each frequency are modulated according to a corresponding spread out width" (Emphasis added);

Claim 5, recites the limitation of "a software phase lock loop ... for spreading out the frequency of an electromagnetic interference signal according to the clock signal and the algorithm, wherein the electromagnetic interference signal at each frequency are modulated ..." (Emphasis added); and

Claim 7, recites the limitation of "determining a specified frequency of the

JUL 26 2007

Application No.: 10/701,261

Docket No.: JCLA7806-R

electromagnetic interference signal ... and spreading out the electromagnetic interference signal" (Emphasis added).

Applicants submit that each of claims 3, 5 and 7 contains limitation of "spreading out the frequency of an electromagnetic interference signal" that is novel and unobvious over Jennings. As such, claims 3, 5, and 7 are novel and unobvious over Jennings or any of the other cited references, taken alone or in combination, and thus should be allowed.

Claim 4 depend on allowable claim 3, and claim 6 depends on allowable claim 5, and thus claims 4 and 6 should also be allowable.

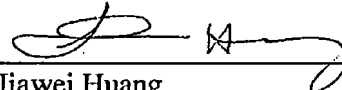
CONCLUSION

For at least the foregoing reasons, it is believed that the pending claims 1, and 3-7 are in proper condition for allowance and an action to such effect is earnestly solicited. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

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Respectfully submitted,
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